

EXHIBIT H

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

State of Minnesota by its Attorney
General, Keith Ellison,

Plaintiff,

v.

Fleet Farm LLC, Fleet Farm Group
LLC, and Fleet Farm Wholesale
Supply Co. LLC,

Defendants.

Case No.: 0:22-cv-02694-JRT-JFD

**DEFENDANTS' AMENDED
RESPONSES AND OBJECTIONS TO
PLAINTIFF'S INTERROGATORY
NOS. 2, 6, AND 13**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendants Fleet Farm LLC, Fleet Farm Group LLC, and Fleet Farm Wholesale Supply Co. LLC (together, "Fleet Farm" or "Defendants") hereby provide the following amended objections and responses to Interrogatory Nos. 2, 6, and 13 in Plaintiff State of Minnesota's July 20, 2023 First Set of Interrogatories to Defendants:

GENERAL OBJECTIONS

Defendants incorporate by reference the General Objections asserted in their August 21, 2023 Responses and Objections to Plaintiff's First Set of Interrogatories.

SPECIFIC RESPONSES AND OBJECTIONS

INTERROGATORY NO. 2:

Identify all persons who have or may have factual knowledge relating to the allegations, claims, denials, and defenses set forth in the pleadings, including Fleet Farm's claim that Plaintiff has failed to join all necessary parties, including, but not limited to, other third parties whom Plaintiff alleges engaged in the unlawful sale or use of firearms in Minnesota. Your response should include all current or former Fleet Farm employees, agents, managers, directors, and principals that had any role in establishing, modifying,

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overseeing, and/or monitoring Fleet Farm's policies, procedures, or practices regarding firearm sales.

RESPONSE:

In addition to the foregoing General Objections, Defendants object to Interrogatory No. 2 as premature, overly broad, and unduly burdensome because discovery in this Action is in its early stages and no depositions have occurred. Defendants further object to Interrogatory No. 2 as overly broad, unduly burdensome, and not proportional to the needs of this Action because it asks Defendants to “[i]dentify all persons who have or may have factual knowledge relating to the allegations, claims, denials, and defenses set forth in the pleadings,” without regard to the degree of knowledge possessed by such persons, whether such persons had any substantive involvement in the allegations, claims, denials, or defenses at issue in this case, or whether such person's actual or potential “factual knowledge” is duplicative of information held by other individuals. Defendants further object to Interrogatory No. 2 to the extent it seeks information not in Defendants' possession, custody, or control, and to the extent it calls for the disclosure of any Privileged Information. Defendants also object to Interrogatory No. 2 as a premature contention interrogatory that is not proper prior to the completion of fact and expert discovery, including document discovery and depositions, and to the extent it calls for a legal conclusion.

Subject to and without waiving these objections, Defendants refer Plaintiff to Defendants' Initial Disclosures, and state that, to the best of their current knowledge and understanding, the following individuals [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] where Jerome Horton or Sarah Elwood purchased firearms, at the time those purchases occurred:

Name	Job Title	Time Period¹
Tim Beer	General Manager of Lakeville Store	July 2019 – May 2021
Dustin Berndt	General Manager of Lakeville Store	July 2021 – Present
Jana Cartier	Director of Risk Management	Nov. 2021 – May 2023
Paul Erikson	General Manager of Brooklyn Park Store	Sept. 2021 – Present
Michelle Granato	Firearms Specialist	BRTP – Present
Brad Hansen	Loss Prevention Manager	May 2023 – Present
	Field Loss Prevention Manager	Jan. 2022 – Jun. 2023
	Regional Loss Prevention Manager	BRTP – Jun. 2023
Andrew Hazelton	General Manager of Oakdale Store	June 2021 – Present
Andrew Hedstrom	General Manager of Brooklyn Park Store	Feb. 2021 – Sept. 2021

¹ “BRTP” means that the individual held the listed position at the beginning of the relevant time period: October 5, 2016. “Present” means the date of Defendants’ Responses and Objections to Plaintiff’s First Set of Interrogatories.

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Derrick Hoernke	Director of Real Estate and Facilities	Nov. 2021 – Present
	Director of Loss Prevention and Facilities	Apr. 2020 – Nov. 2021
	Director of Loss Prevention and Front End Operations	Oct. 2018 – Apr. 2020
	Manager of Loss Prevention and Front End Operations	BRTP – Oct. 2018
Steve Kopf	Regional Director	Feb. 2017 – June 2022
Chris McCool	Regional Vice President	Mar. 2023 – Present
	Regional Director	Mar. 2018 – Mar. 2023
Leif Pettersen	General Manager of Blaine Store	BRTP – Nov. 2022
Mike Radl	Safety & Firearms Compliance Manager	BRTP - Present
Ryan Stoehr	Associate Director of Sporting Goods Merchandise	Mar. 2023 – Present
	Senior Category Manager – Firearms, Ammunition & Optics	Jul. 2018 – Mar. 2023
	Buyer – Sporting Goods & Outdoor Cooking	BRTP – Jul. 2018
Nick Widi	SVP of Store Operations	BRTP – Feb. 2019
	SVP & Chief Retail Operations Officer	Feb. 2019 – Present
James Wood	General Manager of Brooklyn Park Store	Nov. 2018 – Jan. 2021

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Answering further, Defendants state that

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

Answering further, Defendants refer Plaintiff to their response to Interrogatory No.

6.

INTERROGATORY NO. 6:

Identify every Fleet Farm employee, agent, manager, director, or principal who has spoken in person, communicated with, or otherwise contacted Jerome Horton, Gabriel Lee Young-Duncan, Sarah Elwood, Jeffrey Jackson, or Geryiell Walker, and describe the date and location of each meeting, communication, or contact.

RESPONSE:

In addition to the foregoing General Objections, Defendants object to Interrogatory No. 6 as premature and unduly burdensome because discovery in this Action is in its early stages and no depositions have occurred. Defendants further object to Interrogatory No. 6 as overly broad, unduly burdensome, and not proportional to the needs of this Action because it asks Defendants to identify “every Fleet Farm employee, agent, manager, director, or principal” who “communicated” or “contacted” certain individuals, without regarding to the degree of knowledge possessed by such persons or whether such persons have any substantive involvement with the allegations in this case. Defendants also object on the grounds that the Interrogatory is duplicative of Request for Production Nos. 12, 14, 15, and 16, and the phrase “otherwise contacted” is vague and ambiguous.

Subject to and without waiving these objections, Defendants state that the following Fleet Farm salespersons “had contact or communicat[ed]” with Jerome Horton and Sarah Elwood:

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Fleet Farm Salesperson²	Nature of Contact with Horton or Elwood
Matt Benson	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm's Brooklyn Park store on August 20, 2021. <i>See</i> FF_0000588.
Greg Carrick	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm's Blaine store on July 23, 2021. <i>See</i> FF_0000438.
Michael Crepeau*	Identified as the person who transferred/sold one firearm to Sarah Elwood at Fleet Farm's Lakeville store on May 1, 2021. <i>See</i> FF_0000311.
Gary Hallfielder*	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm's Oakdale store on July 10, 2021, <i>see</i> FF_0000008, and transferred/sold two firearms to Jerome Horton at Fleet Farm's Oakdale store on July 24, 2021, <i>see</i> FF_0000127.
Greg Johnson*	Identified as the person who transferred/sold one firearm to Sarah Elwood at Fleet Farm's Brooklyn Park store on June 20, 2020, <i>see</i> FF_0000034, and transferred/sold one firearm to Jerome Horton at Fleet Farm's Brooklyn Park store on July 7, 2021, <i>see</i> FF_0000259.
Matthew Kubiak*	Identified as the person who transferred/sold two firearms to Sarah Elwood at Fleet Farm's Blaine store on May 6, 2021. <i>See</i> FF_0014673.
Lori Jo Lamprecht	Identified as the person who transferred/sold one firearm to Sarah Elwood at Fleet Farm's Brooklyn Park store on July 30, 2020. <i>See</i> FF_0000570.
Lloyd Law*	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm's Oakdale store on July 26, 2021. <i>See</i> FF_0000234.
Zach Adams Lohse*	Identified as the person who transferred/sold two firearms to Sarah Elwood at Fleet Farm's Blaine store on May 12, 2021, <i>see</i> FF_0000056, transferred/sold one firearm to Jerome Horton at Fleet Farm's Blaine store on August 14, 2021, <i>see</i> FF_0000049, and transferred/sold one firearm to

² The * indicates the individual is currently employed by Defendants, and may only be contacted through Defendants' counsel.

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	Jerome Horton at Fleet Farm's Blaine store on September 18, 2021, <i>see</i> FF_0000574.
Cindy McKree*	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm's Oakdale store on October 17, 2021. <i>See</i> FF_0000208.
Isaac Nelson	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm's Brooklyn Park store on June 15, 2021. <i>See</i> FF_0000713.
Bret Nordquist	Identified as the person who transferred/sold three firearms to Jerome Horton at Fleet Farm's Blaine store on July 31, 2021. <i>See</i> FF_0000363.
Logan Oja*	Identified as the person who transferred/sold two firearms to Jerome Horton at Fleet Farm's Lakeville store on August 31, 2021. <i>See</i> FF_0000238.
Cory Peloquin	Identified as the person who transferred/told one firearm to Jerome Horton at Fleet Farm's Brooklyn Park store on October 11, 2021. <i>See</i> FF_0000581.
Jeremy T. Rehbein	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm's Blaine store on September 13, 2021. <i>See</i> FF_0000607.
Jerome Riley	Identified as the person who transferred/sold two firearms to Jerome Horton at Fleet Farm's Blaine store on September 26, 2021. <i>See</i> FF_0000479.
Brigette Rudnick	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm's Brooklyn Park store on July 4, 2021. <i>See</i> FF_0000471.
Branden Sierakowski*	Identified as the person who transferred/sold two firearms to Sarah Elwood at Fleet Farm's Blaine store on January 31, 2021, <i>see</i> FF_0000201, and transferred/sold two firearms to Jerome Horton at Fleet Farm's Blaine store on July 27, 2021, <i>see</i> FF_0000331.
Mike Williamson	Identified as the person who transferred/sold a firearm to Sarah Elwood at Fleet Farm's Brooklyn Park store on January 4, 2021, <i>see</i> FF_0000245, one of the persons who transferred/sold a firearm to Sarah Elwood at Fleet Farm's Brooklyn Park store on January 11, 2021, <i>see</i> FF_0000467, and the person who transferred/sold a firearm to Sarah

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	Elwood at Fleet Farm’s Brooklyn Park store on May 1, 2021, <i>see</i> FF_0000614.
Leetee Tommy Xiong	Identified as the person who transferred/sold one firearm to Jerome Horton at Fleet Farm’s Brooklyn Park store on September 17, 2021. <i>See</i> FF_0000246.
Matt Yeager*	Identified as one of the persons who transferred/sold one firearm to Sarah Elwood at Fleet Farm’s Brooklyn Park store on January 11, 2021, <i>see</i> FF_0000467, and the person who transferred/sold one firearm to Sarah Elwood at Fleet Farm’s Brooklyn Park store on March 15, 2021, <i>see</i> FF_0000307.

INTERROGATORY NO. 13:

Describe the surveillance technology Fleet Farm uses or has used at each of its Minnesota Stores and all related policies and procedures, including what types of recording and tracking equipment are used, how many pieces of equipment each store has, where the equipment is placed inside or outside each store, how the equipment records and stores data, how and when Fleet Farm reviews such data, and how Fleet Farm’s retention policies for such data.

RESPONSE:

In addition to the foregoing General Objections, Defendants object to Interrogatory No. 13 on the grounds that it is compound, overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Defendants also object to Interrogatory No. 13 on the ground that “surveillance technology” is vague and

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ambiguous, and to the extent that the Interrogatory is duplicative of Request for Production No. 16.

Subject to and without waiving these objections, Defendants state that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

AS TO OBJECTIONS:

Dated: February 20, 2024

/s/ Todd A. Noteboom

Todd A. Noteboom (#0240047)

Andrew W. Davis (#0386634)

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ATTORNEYS FOR DEFENDANTS

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VERIFICATION

I am Derrick Hoernke, Director of Real Estate and Facilities at Fleet Farm Wholesale Supply Co. LLC. I am authorized to make this representation on behalf of Fleet Farm LLC, Fleet Farm Group LLC, and Fleet Farm Wholesale Supply Co. LLC (together, “Fleet Farm”). I have read Fleet Farm’s Amended Responses to Interrogatory Nos. 2, 6, and 13 above and know the contents thereof. The Responses are true to the best of my current knowledge, recollection, information, and belief based on a reasonable investigation. I make no verification with respect to any objections stated within the Responses.

I declare under penalty of perjury that everything I have stated in this Verification is true and correct.

FLEET FARM LLC
FLEET FARM GROUP LLC
FLEET FARM WHOLESALE SUPPLY CO. LLC

DATED this 7TH day of February, 2024.

By:  _____

Director of Real Estate and Facilities

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on all counsel of record via email on February 20, 2024.

/s/ Andrew P. Leiendecker
Andrew P. Leiendecker